

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10cv423**

THIS MATTER is before the court on plaintiff's Notice That Trial on Damages is Not Required. Based on such notice, the court will remove this matter from the June 2012, trial term and enter the proposed judgment. As to attorney fees under Section 1988, the court requests that before filing such motion the parties discuss and attempt to resolve that issue amicably rather than incur additional fees in briefing and arguing an additional motion. Having considered plaintiff's Notice and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that plaintiff's Notice That Trial on Damages is not Required Motion, deemed to be a motion to continue trial (#42), is **GRANTED**, and this matter is removed from the June 2012 trial term.

Signed: May 11, 2012

